



**MINUTES OF MEETING OF THE CITY COUNCIL  
OF THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, March 18, 2003, 8:00 p.m.**

---

**MEETING**

The Meeting of the City Council was called to order by Mayor Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Council Member Rodriquez. Mayor Cooper reported that Council Member Ward was out of town this week.

**ROLL CALL**

Present: COUNCIL MEMBERS Jimenez, Hilson,  
Rodriquez, Dowling, Henson  
MAYOR Cooper  
Absent: Ward

**PRESENTATION:** Pride in Hayward Award

The following Mt. Eden residents were commended for their Pride in Hayward for the month of March, 2003: Oliver and Charlene Bouligny III; Napoleon and Erlinda Edejer; Bill and Bobbie Pardue; Pho and Doan Nguyen; and Rodrigo and Milagros Diaz. Mayor Cooper thanked them all for maintaining their property and encouraged everyone to follow their example. She encouraged nominations from others in the City of Hayward for this award.

**PUBLIC COMMENTS**

Jason Moreno commented on his military experience.

Barbara Swarr asked why trees near the parking garage are being removed and commented on redevelopment funds.

City Manager Armas noted that the trees being removed along the corridor are diseased willows as previously reported.

William Gipson, apartment manager, reported that he had spoken at a previous meeting regarding property adjacent to the Honda dealership. There are issues that he stated the dealership would remedy including fencing, a retaining wall, and drainage. He noted that just the fence has been repaired. He also reported and submitted photos of a property at 24836 O'Neil that is directly across from the new homes look like an auto junkyard.

In response to Council Member Dowling's request to investigate the issues, City Manager Armas responded that the issues would be resolved through the use permit application process, but he would provide Mr. Gipson with contact information for the dealership. In addition, he would forward the O'Neil problem to the community preservation staff.

**DRAFT**

Council Member Hilson announced that the current Council meetings are not only broadcast on Cable Channel 15, but also webcast via the City's website.

## **CONSENT**

Item 4 was removed for discussion.

### **1. Approval of Minutes of the City Council Meeting of March 4, 2003**

It was moved by Council Member Henson, seconded by Council Member Hilson, and unanimously carried, with Council Member Ward absent, to approve the minutes of the City Council Meeting of March 4, 2003.

### **2. Measure B Pavement Rehabilitation Projects 2002-03: Award of Contract**

Staff report submitted by Deputy Director of Public Works/Engineering Bauman, dated March 18, 2003, was filed.

It was moved by Council Member Henson, seconded by Council Member Hilson, and unanimously carried, with Council Member Ward absent, to adopt the following:

Resolution 03-035, "Resolution Awarding Contract to American Asphalt Repair and Resurfacing Company, Inc. for the Measure B Pavement Slurry Seal 2002-03 Project, Project Nos. 5166 and 5752; and Awarding Contract to C.F. Archibald Paving, Inc. for the Measure B Pavement Rehabilitation 2002-03 Project, Project Nos. 5166 and 5752"

### **3. Request for Allocation of Park Dedication In-Lieu Fees to Renovate Three Playgrounds**

Staff report submitted by Landscape Architect Carranza, dated March 18, 2003, was filed.

It was moved by Council Member Henson, seconded by Council Member Hilson, and unanimously carried, with Council Member Ward absent, to adopt the following:

Resolution 03-036, "Resolution Allocating Funds in Park Dedication In-Lieu Fees to Renovate Three Playgrounds"

### **4. Adoption of Resolutions Approving the Memorandum of Understanding with Hayward Fire Management Association and Adjusting the Employer Medical Contribution for Hayward Fire Management Association Employees and Retirees**



**MINUTES OF MEETING OF THE CITY COUNCIL  
OF THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, March 18, 2003, 8:00 p.m.**

---

Staff report submitted by Human Resources Director Perrin-Scales, dated March 18, 2003, was filed.

Jason Moreno questioned whether negotiations included the use of city vehicles for personal use.

It was moved by Council Member Henson, seconded by Council Member Dowling, and unanimously carried, with Council Member Ward absent, to adopt the following:

Resolution 03-037, "Resolution Adopting Memorandum of Understanding Between the City of Hayward and the Hayward Fire Management Association"

Resolution 03-038, "Resolution Adjusting Employer Contribution for Subject Members of the Hayward Fire Management Association Covered Under the Public Employees' Medical and Hospital Care Act"

## **LEGISLATIVE BUSINESS**

### **5. Naming Soto Road Bicycle Lane for Ron Custer**

Staff report submitted by Administrative Analyst II Edmark, dated March 18, 2003, was filed.

Acting Public Works Director Bauman made the staff recommendation, noting the various civic accomplishments made by Mr. Custer.

As there were no requests to speak, Mayor Cooper closed the public hearing at 8:24 p.m.

Council Member Hilson spoke kindly about Ron Custer, noting his dedication to civic matters. He felt that this would be most fitting to remember Mr. Custer as he always seemed to be riding his bicycle.

Council Member Henson commented on the criteria, that restricts the naming of city facilities to individuals who have died.

It was moved by Council Member Hilson, seconded by Council Member Jimenez, and unanimously carried, with Council Member Ward absent, to adopt the following:

**DRAFT**

Resolution 03-039, "Resolution Approving the Naming of the Bicycle Lane on Soto Road in Honor of the Memory of Ron Custer"

6. Adoption of Amendments to Taxi Cab Ordinance

Staff report submitted by City Clerk Reyes, dated March 18, 2003, was filed.

City Clerk Reyes reported that this item was introduced with a vote that was not unanimous. Therefore, it was placed under Legislative Business. She recommended approval at this time.

There were no requests to speak. Mayor Cooper closed the opportunity to speak at 8:24 p.m.

It was moved by Council Member Hilson, seconded by Council Member Jimenez, and unanimously carried, with Council Member Ward absent, to adopt the following:

Ordinance 03-03, "An Ordinance Amending Chapter 6, Article 5 of the Hayward Municipal Code by Amending Certain Portions of Sections 6-5.01, Deleting Section 6-5.08 and 6-5.09, and Inserting a New Section 6-5.07, Relating to the Operation of Taxicabs in the City of Hayward"

## **COUNCIL REPORTS**

Council Member Dowling asked the City Manager to comment on the issue of firefighters as presented by a public comment. He noted that since the fire fighters are on shift 24 hours, the use is appropriate in order to be available for emergencies. Council Member Jimenez spoke as a former fire chief and noted that the use was proper.

City Manager Armas reiterated that the use is appropriate as the staff is on alert and must be available for emergencies.

Council Member Hilson reported on his experience at the National League of Cities (NLC) in Washington D.C. last week. He noted the unusual atmosphere of Congress during this time of crisis. Many of the NLC sessions were overfilled and the Conference tended to cause a re-focus on issues facing cities. Governor Ridge, head of Homeland Security, spoke noting funding for state security offices. NLC members spoke with Congressional members on behalf of the cities and distributed laminated cards to the members that described the various NLC programs. Council Member Hilson said he met with Congressman Pete Stark, and lobbied on behalf of California and Hayward's transportation issues.

Council Member Henson agreed that the mood in Washington is somber as the country prepares for the inevitable upcoming war with Iraq. He noted that Congress is appropriating \$750 million as part



**MINUTES OF MEETING OF THE CITY COUNCIL  
OF THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, March 18, 2003, 8:00 p.m.**

---

of the first responder program and hopes some of this funding will filter down to the cities. He participated as a panelist on inoperability.

**ADJOURNMENT**

Mayor Cooper adjourned the meeting at 8:40 p.m.

APPROVED:

---

Roberta Cooper, Mayor, City of Hayward

ATTEST:

---

Angelina Reyes, City Clerk, City of Hayward

**DRAFT**